

REMARKS

In response to the Office Action mailed November 15, 2010, Applicants respectfully request reconsideration. Claims 1-4, 6-10, 27, 29-32, 34 and 41-56 were previously pending in this application. By this amendment, claim 1 is amended. No claims are canceled or added. As a result, claims 1-4, 6-10, 27, 29-32, 34 and 41-56 remain pending for examination with claims 1, 27 and 54 being independent. No new matter has been added.

Rejections Under 35 U.S.C. §103

Independent Claim 1 Patentably Distinguishes Over the Art of Record

The Office Action rejected claims 1-4, 6-8 and 55-56 under 35 U.S.C. §103(a) as being unpatentable over Nishio (U.S. 7,316,022) in view of Howard et al. (U.S. 6,823,526) and further in view of Ruberg (U.S. 6,895,588) and Kemp et al. (U.S. 7,689,673). These rejections are respectfully traversed.

Singly or in combination, the art of record does not teach or suggest at least the following highlighted limitations of Claim 1:

1. (Currently amended) A network device interaction system in a computing device adapted to connect to a network, the system comprising:
 - a registry; and
 - a processor configured to execute a plurality of software components, the components comprising:
 - an application component adapted to utilize a network device; *a monitor component that detects arrival and departure of the network device on the network by passively listening for the network device*, whereby the computing device can determine when the network device is accessible to the application component;
 - a configuration component that automatically configures the network device for operation with the application component in response to arrival of the network device being detected by the monitor component, by:
 - receiving metadata for identifying the network device, the metadata comprising a hardware identifier for the network device;

determining configuration information using the hardware identifier for the network device, *the configuration information indicating a configuration of the network device and comprising one or more registry keys; and*

configuring the system with the configuration information, the configuring comprising setting, in association with the hardware identifier, the registry with the one or more registry keys from the configuration information;

an association component for forming an association between the computing device and one or more other network devices based on user input; and

a display component that displays to a user of the computing device an interface indicating associated network devices, the interface, based on an output of the monitoring component, selectively including *a representation of the network device in a format that distinguishes between when the network device is available and when the network device is not available.* (emphasis added)

The Art of Record Does Not Teach or Suggest the Monitor Component of Claim 1

At page 3, the Office Action asserts that Nishio teaches a monitor component that detects network devices connected to the network, citing col. 5, lines 50-61. However, as is made clear in the portions of the reference leading up to the cited portion (col. 5, lines 39-49; FIG. 2, Items S2, S4, S5), a user must first select an option to search for and add a new printer to the list of printers that can be printed to. Once a user has chosen to search for a new printer, the application actively searches the network for new devices by sending an HTTP packet onto the network. FIG. 4 shows an example of a search packet that is sent by the application.

While the cited portion of Nishio is directed to a way to search for devices on a network, claim 1 does not claim searching a network based on a user's request to find new network devices. Instead, claim 1 recites "a monitor component that detects arrival and departure of the network device on the network by passively listening for the network device." Nishio fails to teach or suggest this limitation. The other art of record does not cure the deficiencies of Nishio. For at least the foregoing reasons, the art of record does not teach or suggest every claim limitation of claim 1.

The Art of Record Does Not Teach or Suggest the Configuration Information of Claim 1

At page 3, the Office Action asserts that Nishio teaches determining configuration information using the hardware identifier for the network device, citing col. 8, lines 11-21. However, claim 1 further requires that “the configuration information ... compris[es] one or more registry keys.” The cited portion of Nishio is directed to searching a database for a driver and setting an IP address to the driver and extracting a device number from configuration information. The reference does not teach or suggest the configuration information comprises registry keys. At page 4, with regards to the “configuring...” claim element, the Office Action appears to assert that Howard teaches the registry keys being part of the configuration information. However, there is no reason that one skilled in the art at the time of the invention would combine Howard with Nishio. Nishio is directed to installing network devices on a computer (Abstract). Howard is directed to configuring a device that is directly connected to a computer (Title; FIG. 1). In fact, Howard teaches away from using techniques as in Nishio in a network environment because using the technique with a networked device introduces too many complexities. At col. 2, lines 48-53, Howard states:

However, *bi-directional software strictly requires a network connection* in lieu of the standard hardware cable connections. In short, bi-directional software *often complicates the problem* of external device configuration in that it is specialized and requires an environment not supported by all systems that use external devices.

Howard is clearly directed to use with a standard hardware cable and not a networked device. The complicated situation that arises by introducing networked devices is, in fact, one of the problems being solved by the present invention. Page 2, lines 9-14 of the present application state:

“While these technologies allow devices to be accessed and controlled remotely, many consumers have not availed themselves of the benefit of network devices. One possible reason that consumers have not taken advantage of network devices, may be that *potential users perceive setting up a home network...as simply too complicated.*”

“It is improper to combine references where the references teach away from their combination.” (MPEP § 2145). For at least the foregoing reasons, the combination of Howard and

Nishio is improper and withdrawal of all rejections based on the combination should be respectfully requested.

The Art of Record Does Not Teach or Suggest the Representation of Claim 1

At page 4, the Office Action concedes that Nishio does not display the network device in a format that indicates that the network device is not available. Rather, Kemp is cited for meeting this limitation. However, the cited portion of Kemp relates to displaying “a ghost image” of a printer as the icon of the printer is being dragged from an installation pane to an agent pane. The reference uses ghosting to indicate user input and not based on the monitoring component as required by claim 1. In fact, all of the printers in FIG. 12, both those represented by regular icons and the printer represented by the ghosted icon are available. Thus, it is clear that the change in the icon is based on the user dragging the icon and not by the availability of the network device.

For at least the foregoing reasons, neither Nishio nor Kemp teach or suggest “a representation of the network device in a format that distinguishes between when the network device is available and when the network device is not available.” The other art of record can not cure these deficiencies. For at least this additional reason, the art of record does not teach or suggest every limitation of claim 1.

For any of the foregoing reasons, claim 1 patentably distinguishes over the art of record and is in allowable condition. Accordingly, withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2-4, 6-10, 53 and 55-56 depend from claim 1 and are allowable for at least the same reasons.

Independent Claim 27 Patentably Distinguishes Over the Art of Record

The Office Action rejected claims 27, 29-32, 34, 41-49 and 52 under 35 U.S.C. §103(a) as being unpatentable over Nishio in view Meenan et al. (U.S. 7,283,505). These rejections are respectfully traversed.

Applicants respectfully submit that the rejection is improper because it is based on an inconsistent interpretation of the references. At page 10, the Office Action concedes that Nishio

does not teach “receiving, through a user interface on the computer, information defining a credential.” Rather, col. 19, lines 29-30 of Meenan is cited for meeting this limitation. Applicants understand the Office Action to be asserting that the wireless device submitting the security code to the gateway via a wired communications pathway meets the limitation. Thus, Applicants understand the Office Action to be asserting that the “computer” of claim 27 is the gateway of Meenan and the “information defining a credential” of claim 27 is the security code of Meenan. However, a different interpretation of the reference is applied in other parts of the rejection.

At page 10, the Office Action concedes that Nishio does not teach “authenticating between the computer peripheral and the computer using the credential.” Rather, col. 9, lines 17-65 of Meenan is cited for meeting this limitation. However, this portion of the reference is not interpreted consistently with the previously cited portion of Meenan. This limitation of claim 27 requires that the “computer” use the credential to authenticate a “computer peripheral.” As stated above, the Office Action asserts that the “computer” of claim 27 is the gateway of Meenan. Thus, for Meenan to teach or suggest the “authenticating” limitation, the gateway of Meenan must perform the authenticating of a peripheral device. However, the cited portion of Meenan is directed to an external host system authenticating the user account of the client device (col. 9, lines 34-36) and does not describe the gateway authenticating any device, and certainly not a peripheral device, as would be required for the rejection to be internally consistent.

Moreover, claim 27 requires that the act of authenticating use the credential. As stated above, the Office Action asserts that the “credential” of claim 27 is the “security code” of Meenan. However, the security code used in col. 19 plays no roll in the authentication. Instead, the authentication is done using a user name and password. The two cited portions of Meenan can not both be used to teach or suggest limitations of claim 27 relating to a computer and peripheral because they are directed to two different processes involving different devices. Column 9 of Meenan is directed to using a host system to authenticate a user account, whereas column 19 of Meenan is directed to configuring a wireless device so that it may communicate with the wireless access point associated with the gateway (col. 18, lines 14-21; col. 19, lines 49-59). For at least the foregoing reasons, no combination of Nishio and Meenan teaches both the two aforementioned limitations of claim 27.

At page 10, the Office Action also concedes that Nishio does not teach “in response to authenticating with the computer peripheral, storing information at the computer for re-authenticating with the computer peripheral.” Rather, col. 9, lines 26-33 of Meenan is cited for meeting this limitation. For reasons as those stated above, the “computer” and “computer peripheral” in this portion of Meenan do not coincide with the same devices cited by the Office Action in column 19. Moreover, the cited portion of Meenan does not store information “in response to authenticating with the computer peripheral.” Meenan merely states that authentication information is stored on the home network and may be obtained by the client device. This information is then submitted to begin an authentication process. Therefore, instead of storing in response to an authenticating, Meenan is directed to storing information before authentication occurs so that the device may use the information in the authentication process. For at least this additional reason, Nishio and Meenan do not teach or suggest every limitation of claim 27.

For any of the foregoing reasons, claim 27 patentably distinguishes over the art of record and is in allowable condition. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 29-32, 34 and 41-52 depend from claim 27 and are allowable for at least the same reasons.

Independent Claim 54 Patentably Distinguishes Over the Art of Record

The Examiner rejected claim 54 under 35 U.S.C. §103(a) as being unpatentable over Nishio in view Meenan et al. and Howard et al.

For reasons that should be clear from the foregoing discussion of claim 27, Meenan does not teach at least “authenticating the computer peripheral with respect to the computer using the credential.” The other art of record does not cure these deficiencies. For at least the foregoing reason, the art of record does not teach or suggest every limitation of claim 54.

Moreover, for reasons that should be clear from the foregoing discussion of claim 1, the combination of Nishio and Howard is improper because Howard teaches away from using networked devices. The Office Action admits that Nishio does not teach the limitations “setting the one or more registry keys in a registry.” The other art of record does not cure the deficiencies of

Nishio. For at least the foregoing reason, the art of record does not teach or suggest every limitation of claim 54.

For at least the foregoing reasons, claim 54 patentably distinguishes over the art of record and is in allowable condition. Accordingly, withdrawal of this rejection is respectfully requested.

General Comments on Dependent Claims

Each of the dependent claims depends from a base claim that is believed to be in condition for allowance, and Applicants believe that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. Applicants do not, however, necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

CONCLUSION

In view of the foregoing, the present application is believed to be in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the application in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, any necessary extension of time is hereby requested. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. M1103.70668US00.

Dated: *January 27, 2011*

Respectfully submitted,

By *Edmund J. Walsh*
Edmund J. Walsh
Registration No.: 32,950
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
617.646.8000